

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

# RLI INSURANCE COMPANY

Plaintiff

**VS.**

**FIFTH THIRD BANCORP**

Defendant

**FIFTH THIRD BANCORP, an Ohio Corporation, and FIFTH THIRD BANK, an Ohio Banking Corporation**

Plaintiff

**VS.**

**CERTAIN UNDERWRITERS AT  
LLOYD'S SUBSCRIBING TO POLICY  
B0509QA048710, B0509QA051310,  
81906760, et al.**

## Defendants

: Civil Action No. 1:14-cv-802  
:  
: Judge: Sandra S. Beckwith  
: Magistrate: Stephanie K. Bowman

: Civil Action No. 1:14cv869

**FIFTH THIRD’S MOTION FOR ADDITIONAL TIME TO RESPOND  
TO RLI INSURANCE COMPANY’S JOINDER IN CERTAIN UNDERWRITERS’  
MOTION FOR PROTECTIVE ORDER AND IN THE ALTERNATIVE TO STAY AND  
BIFURCATE PLAINTIFFS’ “BAD FAITH CLAIM”**

Now comes Fifth Third and hereby requests an additional one day in which to file its memorandum opposing RLI's motion for a protective order and/or in the alternative to stay and bifurcate. This motion is unopposed by RLI.

RESPECTFULLY SUBMITTED,

/S/ Mark J. Byrne

**MARK J. BYRNE (0029243)**

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**MEMORANDUM**

Fifth Third's Memorandum opposing RLI's motion is due April 11, 2016. On Friday, April 8, 2016, counsel for Fifth Third was required to attend to an unexpected health matter for his daughter at a local hospital. Counsel requests until Tuesday, April

12, 2016 in which to file a response. This request is not for purposes of delay. As previously indicated, RLI does not oppose this one day extension.

RESPECTFULLY SUBMITTED,

/S/ Mark J. Byrne

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**CERTIFICATE OF SERVICE**

I hereby certify that on April 11, 2016, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to the following:

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